

Applicant: JENKINS
Serial No: 10/760,095
Filing Date: January 16, 2004
Page: 2 of 9

Amendments to the Claims:

This listing of claims replaces all prior versions, and listings, of claims in this application.

Listing of Claims:

1-2. (Cancelled).

3. (Currently Amended): The system according to claim 16 wherein said devices include personal computers, cell phones, personal digital assistants, or user-supported ~~computer~~computers.

4. (Currently Amended): The system according to claim 16 wherein a location of said devices ~~are located within~~ is determined by said network by utilizing a positioning algorithm based on a method selected from the group consisting of triangulation of multiple signals, signal strengths of multiple signals, time difference of arrival of different signals, angle of arrival differences of different signals, GPS signals, and combinations thereof.

5. (Currently Amended): The system according to claim ~~[[2]]~~16 wherein the messaging server communicates with the plurality of devices over a wireless network, said ~~mobile radio-service provider~~ network is divided up into a two-dimensional grid of grid points, said ~~database~~ network associating a physical location of a the user device with one or more of said grid points.

6. (Currently Amended): The system according to claim ~~[[2]]~~16 wherein the messaging server communicates with the plurality of devices over a wireless network, said ~~mobile radio-service provider~~ network is divided up into a three-dimensional grid of grid points, said ~~database~~ network associating a physical location of a the user device devices with one or more of said grid points.

Applicant: JENKINS
Serial No: 10/760,095
Filing Date: January 16, 2004
Page: 3 of 9

7. (Currently Amended): The system according to claim ~~[[1]]~~5 wherein said ~~mobile radio service provider~~ network communicates using a protocol selected from the group consisting of CDMA, TDMA, FDMA, wide-band CDMA.

8. (Cancelled).

9. (Currently Amended): A messaging method for use in a mobile radio service provider network associated with coordinate way points and a plurality of subscriber devices ~~enabled to function with the mobile radio service provider network and interact with at least one message, the devices each possessing a unique identification number and a user interface for facilitating two way communication with the network,~~ the method comprising:

~~setting the device to a specific area of granularity within said provider network, wherein the at least one message is associated with a specific coordinate way point and is not associated with a specific subscriber within said network, wherein the at least one message outside the area of granularity is not received by the subscriber and the at least one message within the area of granularity is received by the subscriber;~~

~~— capturing the device's own instant coordinate location;~~

leaving receiving a user-generated message from a subscriber device including a receiver designation within the network, wherein the received message is associated with the captured coordinate way point location, wherein and the left received message is associated with a specific area of granularity and a time period during which the received message is available;

storing the user-generated messages within the network;

determining when the subscriber devices are in range of the coordinate way point and can receive the received message based on the associated receiver designation, wherein the determining is based on a profile and a location of the subscriber device; and

sending the received message to the determined subscriber devices.

~~accessing a message posted at a specific coordinate location within the network at least due to the device's physical proximity to the specific coordinate location.~~

Applicant: JENKINS
Serial No: 10/760,095
Filing Date: January 16, 2004
Page: 4 of 9

10. (Currently Amended): The messaging method according to claim 9, wherein the area of granularity is pre-set by either the network or the ~~device~~ devices.

11. (Currently Amended): The messaging method according to claim 9, wherein the area of granularity is selectable by either the network or the ~~device~~ devices.

12. (Currently Amended): The messaging method according to claim 9, wherein the time period is pre-set by either the network or the ~~device~~ devices.

13. (Currently Amended): The messaging method according to claim 9, wherein the time period is selectable by either the network or the ~~device~~ devices.

14. (Cancelled).

15. (New) A messaging method comprising:

receiving a user-generated message from a first user device, the message including a receiver designation, a level of granularity around a coordinate location that the message may be made available to at least one second user device;

storing the message;

determining recipients of the stored message, wherein the determining is based on a profile, a location of the at least one second user device, and the level of granularity of the stored message; wherein

the profile of the at least second user device includes a name and an interest of the second user,

the level of granularity includes an area surrounding the coordinate location that the message is accessible;

sending the stored message to the determined at least one second user.

16. (New) A messaging system comprising:

a messaging server configured to communicate with a plurality of devices;

Applicant: JENKINS
Serial No: 10/760,095
Filing Date: January 16, 2004
Page: 5 of 9

the server including

a receiver, the receiver configured to receive a user-generated message from the devices, the message including a receiver designation, a level of granularity around a coordinate location that the message may be made available to the devices;

a memory, the memory configured to store the message;

a determination module configured to determine recipients of the stored message, wherein the determining is based on a profile, a location of the devices, and the level of granularity of the stored message; wherein

the profile of the devices include a name and an interest of a user,

the level of granularity includes an area surrounding the coordinate location that the message is accessible;

a transmitter, the transmitter configured to transmit the stored message to the determined recipients.

17. (New): The system according to claim 6 wherein said network communicates using a protocol selected from the group consisting of CDMA, TDMA, FDMA, wide-band CDMA.